

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Earl Thurston,

Civil No. 11-144 (DWF/JSM)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Warden B.R. Jett, Captain White,
S.I.A. Miller, Lieutenant Hansen,
Lieutenant Naugle, Lt. Underwood,
and D.H.O.B. Auterson,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated March 30, 2012. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records and proceedings herein, the Court now makes and enters the following:

ORDER

IT IS HEREBY ORDERED that this action is **DISMISSED WITHOUT PREJUDICE.**

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 3, 2012

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge